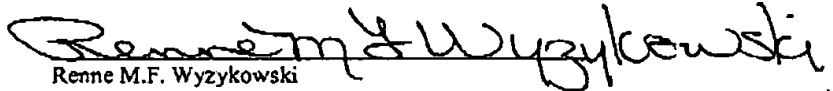


NOV 17 2003

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Renne M.F. Wyzykowski

Applicant : Michael Obradovich Confirmation No. 2594
Application No. : 09/699,031
Filed : October 27, 2000
Title : SYSTEM AND METHOD FOR USER NAVIGATION
Grp./Div. : 2172
Examiner : Baoquoc N. To
Customer No. : 23363
Docket No. : 40985/DMC/C685

LETTER REQUESTING CORRECTING RESPONSE DATE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7063
Pasadena, CA 91109-7063
November 17, 2003

Commissioner:

Applicant believes the recent Advisory Action in the case improperly sets the period for reply. The Advisory Action indicates the period for reply expires November 17, 2003. The period for reply should expire November 20, 2003.

A final action was mailed July 17, 2003 (Exh. A). A fully responsive amendment was filed with the U.S. Patent and Trademark Office, using a certificate of mailing (Exh. B and See 37 CFR § 1.8), on September 17, 2003, within two months of the mailing of the final Office action. An Advisory Action was mailed October 20, 2003 (Exh. C).

As provided in the Office action mailed July 17, 2003 "8. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final

Application No. 09/699,031

action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action." (emphasis supplied)

Accordingly, the period for reply to the instant case is set to expire November 20, 2003, and Applicants request that applicants be so formally notified.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

Daniel M. Cavanagh
Reg. No. 41,661
626/795-9900

DMC/rmw

Enclosure: Exhibits A, B and C
RMW IRV1071799.1-*.11/17/03 3:01 PM

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Art Unit: 2172

Examiner: Baoquoc N. To

Phone: (703) 305-1949

From: Daniel M. Cavanagh
Reg No. 41,661

Re: Application No. 09/699,031
Filed October 27, 2000
Entitled SYSTEM AND METHOD FOR USER NAVIGATION

File: 40985/DMC/C685

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO
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Renne M.F. Wyzykowski

*Correspondence: Letter Requesting Correcting Response Date;
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/699,031 | 10/27/2000 | Michael L Obradovich | 40985/DMC/C685 | 6778 |

23363 7590 10/20/2003

CHRISTIE, PARKER & HALE, LLP
350 WEST COLORADO BOULEVARD
SUITE 500
PASADENA, CA 91105

| EXAMINER |
|---------------|
| TO, BAOQUOC N |

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2172 | |

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OCT 23 2003

DATE MAILED: 10/20/2003

CASE # **40985** ACTION *Fin. Reg. on al: Y1704*

Christie, Parker & Hale, LLP

REMINDER _____ DUE DATE _____

DEADLINE _____

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/699,031

Applicant(s)

OBRADOVICH, MICHAEL L

Examiner

Baoquoc N To

Art Unit

2172

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

THE REPLY FILED 23 September 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof, (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: Please see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-7, 11, 13, 14, 16 and 22-25.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

The applicant argues that it does not appear that Fultz discloses or suggests "requesting information from an external server ...receiving the information from the external server; and providing the information to remote computer system"

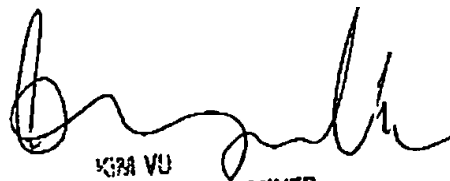
The examiner respectfully disagrees with the above argument because Fultz discloses a system allowing a user from the Mobil computer inquires to a base station as the external server to retrieve the navigation information and other resources (col. 7, lines 65-67 and col. 8, lines 1-5). The computer at the user is the client-server architecture that allow the user to request and transmitted the request to base station. The information is retrieved and transferred back to the Mobil as remote computer system (col. 10, lines 22-58).

The applicant also argues that, "in any event, it would appear that profiles in Herz are individual for each user, and the user's multiple profiles, even if it is assumed that Herz teaches , multiples profiles, does not include a standard profile"

The examiner respectfully disagrees with the above argument because each of the search conducted for target objects whose profiles most closely match the user's interests as described by the user's target profiles interest summary (col. 5, lines 23-26). At the same time Herz also discloses a target profile-interest summary for a single user must represent multiple areas of interest, for example, by consisting of a set of individual search profiles" (col. 5, lines 19-23). Clearly, the target profiles in Herz is a set of profiles utilizing for searching for the targets of objects. Since the claim do not differentiate from a standard profile and other profiles. One of the Herz's multiples profile is a standard profile as the applicant claimed.

The applicant argues that, "Herz does not disclose or suggest a copied profile in the context of claim 22".

The examiner respectfully disagrees with the above argument because although the applicant pointed out to the examiner that the specification defining how the copied profile constructed and operated; However, the copied profile was not defined in that way in the context of claim 22. Herz teaches each user is presented with those target objects whose profiles most closely match the user interest as described by the user's target profile interest summary (col. 5, lines 23-26). The user's target summary is the copied of the user's multiple search profiles.


KRISTA VU
PATENT EXAMINER
TECHNOLOGY CENTER 2100

JUL 19 2003

DMC



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Christie, Parker & Hale, LLP

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/699,031 | 10/27/2000 | Michael L Obradovich | 40985/DMC/C685 | 6778 |

23363 7590 07/17/2003

CHRISTIE, PARKER & HALE, LLP
 350 WEST COLORADO BOULEVARD
 SUITE 500
 PASADENA, CA 91105

EXAMINER

TO, BAOQUOC N

ART UNIT

PAPER NUMBER

2172

CASE # 40985 ACTION Final Rejection DATE MAILED: 07/17/2003 11
 REMINDER _____ DUE DATE 10/17/03
 DEADLINE 1/17/04

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|-----------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/699,031 | OBRADOVICH, MICHAEL L | |
| | Examiner | Art Unit | |
| | Baquooc N To | 2172 | |

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 11, 13, 14, 16 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) 8-10, 12, 15 and 17-21 is/are withdrawn from consideration. *canceled.*
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11, 13, 14, 16 and 22-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) g.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

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Page 3

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fultz (US. Patent No. 6,021,371).

Regarding on claim 1, Fultz teaches a method of populating a database comprising:

- determining a tag location (user or mobile location 2) (col. 5, lines 37-38);
- requesting (inquiry) information from an external server (based station 1) concerning the tag location (mobile or user location) (col. 5, lines 38-54);
- receiving the information from the external server (auxiliary service provider 10 responds to the inquiry or request) (col. 5, lines 55-66); and
- providing the information to a computer system having a database residing in memory (col. 6, lines 11-16).

Fultz does not explicitly teach a tag location have described. However, the examiner interprets "the tag location" is a user or mobile location as describes in Fultz (col. 5, lines 36-37). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the mobile location in Fultz into "tag

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location" as claimed in order to provide users with information that is specific to the user's geographical location.

Regarding on claim 2, Fultz teaches determining a tag location comprises:
Evaluating the position of a GPS capable services (col. 6, lines 17-20);
Waiting a preselected time period (col. 6, lines 17-20);
Reevaluating the position of the GPS capable service (col. 6, lines 17-20); and
Determining if the position of the GPS capable device before and after waiting the preselected time period is substantially the same (col. 6, lines 17-20).

Regarding on claim 4, Fultz teaches the tag location comprises a plurality of locations (mobile travel locations) (col. 6, lines 7-8).

Regarding on claim 5, Fultz teaches the tag location comprises a selected area (mobile location) (col. 6, lines 7-8).

Regarding on claim 6, Fultz teaches the requesting information concerning the tag location comprising:

Formatting a request identifying the selected area to a server computer system (col. 5, lines 38-39); and

Communicating the request identifying the selected area (location data) to the server computer system (col. 6, lines 7-11).

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5. Claim 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fultz (US. Patent No. 6,021,371) in view of Sotiroff et al. (US. Patent No. 5,852,810).

Regarding on claim 3, Fultz teaches determining a tag location comprises:

presenting a map display using a computer to a user (col. 7, line 9-13);

Fultz teaches display 18 may include a touch screen for an input (col. 7, lines 17-18); however, Fultz does not explicitly teach receiving a selected position on the map display. However, Sotiroff teaches, "the user is allowed to select a more specific area, in this case a particular state 30, from the high level map by moving a point device over the area and selecting area (step 100, FIG. 6). Since the map is designated as an image map, the browser 26 returns the coordinates of the point of selected on the map" (col. 4, lines 11-17). This teaches the user selected a state by clicking on the state 30 as a selected position on the map and the coordinates are returned to the system to retrieve the area. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Sotiroff into Fultz because allowing the user to selected the specific location in the map would allow the system to retrieve the area and the reference locations as user requested.

Regarding on claim 7, Fultz teaches a method of populating the database based on the requesting information concerning the tag location as in claim 6.

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Fultz does not explicitly teach the determining a tag location comprises:
presenting a map display to a user, the map display providing for selection of an area of the display; receiving an indication of an area selected on the map display.

On the other hand, Sotiroff teaches presenting a map display to a user, the map display providing for selection of an area of the display (col. 4, lines 11-15); receiving an indication of an area selected on the map display (col. 4, lines 15-33).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Sotiroff into Fultz because allowing the user to selected the specific location in the map would allow the system to retrieve the area and the reference locations as user requested.

6. Claims 11, 13-14 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al (US. Patent No. 5,754,938).

Regarding on claim 11, Herz teaches a method of accessing data in a database using a profile, the data comprising an indication of a geographic location and information regarding the geographic location, the method comprising:

Receiving a request for data from a database (search for target object) (col. 26, lines 17-19);

Forming search criteria for a search of the database, the search criteria including details of the request for data and details of a profile identified by the profile

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Art Unit: 2172

Page 7

identification (to search for target objects that match a search profile from a user's search profile set) (col. 26, lines 17-21); and

Locating data fulfilling the search criteria (col. 26, lines 19-21).

Herz does not explicitly teach receiving a profile identification associated with the request for data from the database, the profile identification identifying a profile, the profile being associated with a user, the user having multiple profiles associated with the user, the multiple profiles including a profile including information about the user and a standard profile. However, Herz teaches, "because people have multiple interests, for example, by consisting of a set of individual search profiles, each of which identifies one of the user's areas of interest" (col. 5, lines 19-23). In addition, Herz also teaches, "because people have multiples interests, a target profile interest summary for a single user must represent multiple areas of interest, for example, by consisting of a set of individual search profiles, each of which identifies one of the user's areas of interest. Each user is presented with those target object whose profile mostly match the user's interests as described by the user's target profile interest summary" (col. 5, lines 19-23). This teaches both user profile and the standard profile are the profile interest summary for retrieving the target objects. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to include target interest summary as search parameters in order to retrieve the information based on the user multiple profiles.

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Regarding on claims 13 and 23, Herz teaches the user information includes a user age (age) (col. 4, lines 47-67).

Regarding on claims 14 and 24, Herz teaches the profile includes items identified as favorites of the user (target object) (col. 4, lines 47-67).

Regarding on claim 22 is rejected same as claim 11 except for the copied of the profile. Herz teaches, "One use of these searching techniques is to search for target objects that match a search profile from a user's search profile set" (col. 26, lines 17-19). In addition, Herz also teaches, "each user is presented with those target objects whose profiles most closely match the user's interests as described by the user's target profile interest summary" (col. 5, lines 23-26). Since the claims is not defining clearly on "copied profile" the examiner equates as a profile. Herz discloses the multiples profile set uses to retrieve the target of interest. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to include multiple user profile to search in order to retrieve information that related to user's profiles.

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7. Claims 16 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al (US. Patent No. 5,754,938) in view of Reese (US. Patent No. 6,374,237).

Regarding on claims 16 and 25, Herz teaches modifying user profile by the server except a request for modification of details of a profile, and modifying the profile in response to the request for modification of details of the profile. However, Reese teaches, "the client prompts (step 260) the user to modify the user profile request. If the user wish to modify the user profile request, the client can send the modified user profile to the matching server to conduct a further search of the content sites" (col. 4, lines 22-27). This teaches the user is prompt for choice of modifying the user profile and if so the modified user profile is sent to the server to conduct the search. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Reese into Herz because allowing the user to request to modify the user profile and using the modified profile to search would retrieve the result much relevance to the users.

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Page 10

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Application/Control Number: 09/699,031
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Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached at (703) 305-4393.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

- (703) 746-7238 [After Final Communication]
- (703) 746-7239 [Official Communication] —
- (703) 746-7240 [Non-Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To
July 6, 2003


SHAHID AL ALAM
PATENT EXAMINER

FORM PTO/SB/08A/B (10-01)
Substitute for PTO-1449A/B

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Attorney Docket Number 40985/DMC/C:685
Application Number 09/699,031
Filing Date October 27, 2000
Applicant(s) Michael Obradovich
Group Art Unit 2172
Examiner Name Baoquoc N. To

U.S. PATENT DOCUMENTS

| EXAMINER INITIALS | Cite No. ¹ | DOCUMENT NUMBER Number - kind code ² (If known) | PUBLICATION DATE MM-DD-YYYY | NAME OF PATENTEE |
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